

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Blackwell, et al.
Appl. No.: 10/552,135
Filed: 10/06/2005
For: MOBILE MEDICAL FACILITY

Confirmation No.: TBD
Art Unit: TBD
Examiner: TBD

Special Program Examiner
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO MAKE SPECIAL UNDER 37 C.F.R. § 1.102(d)

Sir:

Applicants hereby petition that this application be made special pursuant to 37 CFR § 1.102(d) and MPEP 708.02 (VIII).

- A. Applicants accompany this petition with the fee set forth in 37 CFR § 1.17(h);
- B. The Applicants have presented all of the claims directed to a single invention.

Should the Office determine otherwise, the Applicants will make an election without traverse as a prerequisite for the grant special status;

C. A pre-examination search was made, the results of the search are listed further below, the search included a search of the following class and subclasses of domestic patents, domestic published applications, and foreign patents: 296/1.01, 19, 24.32, 24.33, 24.38, 24.39, and 24.4;

D. One copy of each of the references cited in the search report is enclosed herewith; and

E. Set forth below is a detailed discussion of the references, which discussion points out, with the particularity required by 37 CFR 1.111(b) and (c), how the claimed subject matter is patentable over the references.

✓(1) U.S. Patent No. 2,370,402 to Gutman discloses an ambulance and its equipment. The body of ambulance is wide enough to support a plurality of stretchers extending from one side wall to an opposing side wall as illustrated in Figures 1-2. The stretchers are supported by seal-rails extending along the side walls. The Gutman patent, among other things, does not disclose a trailer having a first configuration and a second configuration, wherein the floor area is large enough in one of the configurations to support a plurality of treatment bays for treating patients.

✓(2) U.S. Patent No. 2,677,571 to Williams discloses an office trailer capable of being towed. The trailer includes two compartments separated by a partition. However, the Williams patent does not disclose a trailer having a first configuration and a second configuration.

✓(3) U.S. Patent No. 3,583,368 to Mandelhaum discloses a mobile animal grooming salon. The salon includes an animal bath station and a drying station. The Mandelhaum patent does not disclose a trailer having a first configuration and a second configuration.

(4) U.S. Patent No. 4,570,733 to Star discloses a mobile hospital unit. The hospital unit includes a standard cargo container that is self-powered and capable of being airlifted. According to Figure 3, the interior of the container is large enough for a plurality of stretchers. The Star patent does not disclose a trailer having a first configuration and a second configuration.

✓(5) U.S. Patent No. 4,743,059 to Legeu discloses a mobile sanitary unit. The unit includes "a sealed aseptic container with the dimensions of a standard 20-foot container." *Abstract.* "The unit includes telescopic legs at all four corners of the container mounted on supports which may be folded flat against the container wall for transport, and deployed so that the container may be on-loaded and then off-loaded and used on site standing on its legs." *Abstract.* The Legeu patent does not disclose a trailer having a floor area affected by a first configuration and a second configuration of the trailer.

✓(6) U.S. Patent No. 5,178,481 to Zeman et al. discloses an emergency rescue vehicle. The vehicle includes a patient compartment which is accessible for patient loading through doors 45, 46, 47, 48 located on the sides of the vehicle and/or rear access doors 61, 62, and 63. *Col. 5, lines 5-7; Figure 4.* The vehicle also includes at least one patient support base 30 which is pivotally mounted to the floor 16 of the patient compartment. *Col. 4, lines 44-51.* The base 30 may further include "a separate or integrally formed ramp extension 60 as shown in Figure 4. The ramp is included vertically so that the stretcher (S) may rolled down the ramp and to the ground in order to remove the stretcher from the vehicle without requiring that the crew lift the patient and stretcher. In other embodiments, it may be possible to provide hydraulic extensions for the base." *Col. 5, lines 29-38.* The Zeman patent does not disclose a configuration wherein the floor area is large enough to support a plurality of treatment bays for treating patients or another configuration wherein the floor area is reduced for transporting the trailer.

✓(7) U.S. Patent No. 5,383,629 to Morgan discloses an emergency medical system. The system includes rack systems disposed on respective walls of a vehicle's interior. The rack systems allows for adjusting patient litters between vertical positions. The Morgan patent does not disclose a trailer having a floor area affected by a first and a second configuration of the trailer.

✓(8) U.S. Patent No. 5,755,478 to Kamiya et al. discloses a mobile trauma care system. The system includes a vehicle body with floor side walls, wheels, and a number of patient supporting means extending along the side walls. The Kamiya patent does not disclose a trailer having a first and a second configuration, wherein in the second configuration the floor area is large enough to support a plurality of treatment bays and in the first configuration the floor area is reduced for transporting the trailer.

✓(9) U.S. Patent No. 5,755,479 to Lavin et al. discloses an umbilicus system for delivering medical services. As shown in Figure 2, the system comprises a mobile medical unit. The unit includes an interior treatment platform 44 and a plurality of exterior treatment platforms 72. The Lavin patent does not disclose a trailer having a floor area large enough to support a plurality of treatment bays.

✓(10) U.S. Patent No. 5,727,353 to Getz discloses a portable medical diagnostic suite. The suite includes an interior area 26 divided into separate sections 36 and 38. One section 36 supports a medical diagnostic device 40 and the other section supports an operator station 42 for controlling the device 40. *Col. 3, lines 1-24*. The Getz patent does not disclose a trailer having a first and a second configuration.

✓(11) U.S. Patent No. 5,775,758 to Eberspacher discloses a portable emergency care facility. The facility includes an elongated enclosure and wheels for transporting the facility. The enclosure includes a plurality of treatment tables. The Eberspacher patent does not disclose a trailer having a first configuration and a second configuration.

✓(12) U.S. Patent No. 5,991,947 to Lavin et al. is a divisional of the Lavin et al. '479 patent and for that reason is not directly pertinent.

✓(13) U.S. Patent No. 6,082,799 to Marek discloses a mobile ambulatory surgery center. "The center includes a driver's cab 520 and a central body section 510. Within central body section 510 is a sterile area 620 and a nonsterile area 600. The center has an admitting area 200, a change room 240, and a surgery staging area 280 within nonsterile area 600. A nurse's station 290, a prep/recovery room 230, an operating room 250, a clean work room 260, and a soiled work area 270 are built within sterile area 620. Retractable pullouts 300-A and 300-B are of the type that are well known and available in the industry. When the vehicle is parked, retractable pullouts 300-A and 300-B enlarge sterile area 620." *Col. 6, lines 10-22; Figure 1*. The Marek does not disclose a configuration having a floor area for supporting a plurality of treatment bays.

✓(14) U.S. Patent No. 4,425,978 to Star discloses a mobile hospital unit. A standard cargo container reconstructed into a transportable hospital unit. *Abstract*. The unit is self-powered by a motor 44 and has an interior that can hold a plurality of stretcher beds 14. *Figures 2 and 3*.

The Star patent does not disclose a trailer having a first configuration and a second configuration.

✓(15) U.S. Patent No. 5,706,846 to Sutton discloses a protective action system including a deployable system. The system includes a towable trailer 142 having extendible and inflatable tents 144 and 146 that are sealingly secured to the entrance and exit of the trailer 142. *Col. 7, lines 62-67 – Col. 8, lines 1-3; Figure 11*. The Sutton patent does not disclose a trailer having a configuration large enough to support a plurality of treatment bays.

✓(16) U.S. Patent No. 4,915,435 to Levine discloses a mobile operating room van with pre and post-operational areas. The van 100 includes a surgery area 150, a preop and postop area 175, a toilet and dressing area 200 and a cleanup area 180. The surgery area 150 is expandable with its telescoping sides 151 and 152. *Col. 3, lines 11-19; Figure 1*. The Levine patent does not disclose a configuration having a floor area large enough for supporting a plurality of treatment bays.

✓(17) U.S. Patent No. 6,179,358 to Hirayama et al. discloses a mobile hospital system. The system includes a series of interconnecting trailers. *Figures 2-3*. The Hirayama does not disclose a trailer having a first and a second configuration, wherein the floor area in one configuration is large enough for supporting a plurality of treatment bays and the floor area in the other configuration is reduced for transporting the trailer.

✓(18) U.S. Patent No. 6,772,563 to Kuhn discloses a mobile accommodation unit in container form. The unit includes a main box element and at least one secondary box element. The secondary box element is configured to telescope into the main box element. "In order to provide a continuous floor surface, after the secondary box element has been pulled out, the main box element has a movable floor element, which can be lifted relative to a basic floor element so as to equalize the floor levels of the main box element and the secondary box element." *Abstract*. When the secondary box element is pushed into the main box element, the movable floor element is underneath the secondary box element. *See Figure 1*. Therefore the Kuhn patent does not disclose a trailer including a central floor area capable of supporting equipment or a medical personnel station in both configurations.

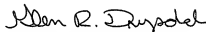
✓(19) U.S. Patent No. 4,546,578 to Behrmann discloses a transportable holding assembly for rapid erection of buildings. The holding assembly includes "two side containers swingably linked to a central container on the two longitudinal sides of the central container." *Abstract*. When the side containers are swung into the central container for transport, the floors of side containers rest against the longitudinal sides of the container and the roofs of the side containers are superimposed one above the other on top of the roof of the central container. *Col. 5, lines 3-20; Figure 1*. Behrmann patent does not disclose at least one slide out.

Conclusion

The Applicants filed a preliminary amendment concurrently with this petition. It is respectfully submitted that the present invention is patentable over the prior art. An early Notice of Allowance is solicited.

A check in the amount of \$130.00 in payment of the petition fee as set forth in 37 CFR §1.17(h) is enclosed herewith. Any additional fee may be charged or any overpayment credited to our Deposit Account No. 16-0605.

Respectfully submitted,



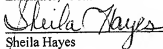
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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Special Program Examiner, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450


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